GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

UNSTARRED QUESTION NO:6932
ANSWERED ON:09.05.2003
SALARY AND ALLOWANCE OF JUDICIAL OFFICIALS
SATYAVRAT CHATURVEDI;SUNDER LAL TIWARI

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether various State Governments have shown their inability to enhance the salary and allowances and making new recruitments x>1 the judicial officials;

(b) if so, the reasons therefor;

(c) whether Hon`ble Supreme Court has given any orders in this regard;

(d) whether Finance Minister of various States had met him and expressed their inabilityto implement the orders of the Hon`ble Supreme-Court; and

(e) if so, the reaction of the Union Government thereto?

Answer

THE MINISTER OF LAW AND JUSTICE AND MINISTER OF COMMERCE AND INDUSTRY (SHRI ARUN JAITLEY):

(a) and (b) Yes, Sir. Many State Governments were concerned about the large financialimplication due to revision of pay scales, sanction of allowances, and increase in the judge strength as directed by the Supreme Court in its judgment dated 21st March, 2002 in All India Judges Association case. There would be considerable impact on the Statefinances as existing parities get disturbed, and the employees would also demand extension of allowances similar to what is provided to the Judicial Officers.

(c) Yes, Sir.

(d) No, Sir. However, the State Finance Ministers inthe meeting convened by the Ministry of Finance on 7th September, 2002, expressed serious difficulties regarding the constitutional, financial and administrative issues involved in implementing the Supreme Court`s Judgmentdated 21st March 2002. They resolved that States would take appropriate action in the State Legislature through resolution or any other alternative legislative measures.

(e) The Central Government has decided to introduce a Bill in the Parliament underArticle 309 of the Constitution of India to regulate the salaries and allowances of judicial officers in the Union Territories for which it is administratively responsible. As regards increase in judge strength, an affidavit has been filed in the Supreme Court praying that the increase in judge strength in the UT`s be allowed to be on the basis of workload, rather than population. The matter is subjudice.